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BILL RICHARDSON  
Governor  
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Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Air Quality Bureau*

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RON CURRY  
Secretary  
SARAH COTTRELL  
Deputy Secretary

June 24, 2010

Dr. Alfredo Armendariz  
Regional Administrator  
EPA Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202

CERTIFIED MAIL 7008 0500 0001 1248 2295

Re: Implementation and Adoption of Tailoring Rule

Dear Dr. Armendariz:

The New Mexico Environment Department (Department) has determined that the State of New Mexico does not have the authority to apply the meaning of the term "subject to regulation" established by EPA in the Tailoring Rule. The Department intends to request a hearing before the Environmental Improvement Board in November 2010 to adopt amendments to the State's Title V and PSD rules reflecting the requirements of the Tailoring Rule. This hearing date will ensure that the State's rules will be effective by January 1, 2011.

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Should you have any questions or concerns regarding this schedule, please do not hesitate to contact Kerwin Singleton at 505.476.4350.

Sincerely,

Mary Uhl  
Chief, Air Quality Bureau

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2010 JUL -2 AM 10:31  
EXTERNAL AFFAIRS DIVISION

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AIR PLANNING SEC  
10 JUL -7 PM 1:38